

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1955 of 2020

Vishal Soni, S/o. Lalan Soni, Aged About 26 Years, R/o. Near Power House, Ambikapur, Police Station City Kotwali, Ambikapur, District - Surguja Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through - Station House Officer, Police Station - Mahila Thana Ambikapur, (Wrongly Mentioned In Order Sheet As P.S. Gandhi Nagar), District : Surguja (Ambikapur), Chhattisgarh.

---- Respondent

For Applicant : Mr. Amit Singh Chauhan, Advocate

For Respondent/State : Mr. Adil Minhaj, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

23/06/2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.10/2020, registered at Police Station – Mahila Thana, Ambikapur, District – Surguja (C.G.) for the offence punishable under Section 354(D) (i) (ii), 506, 509(B) of the

Indian Penal Code and Section 7/8 of POCSO Act, 2012 and Section 67(B) of Information Technology Act.

2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant. The applicant is in jail since 26.02.2020. Charge-sheet in this case has been filed after completion of investigation. Hence, it is prayed that the applicant may be enlarged on regular bail.
3. On the other hand, learned counsel for the State opposes the bail application. It is submitted that it is a case of threatening and blackmailing of the minor girl by the applicant, therefore, he is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, the applicant and the minor victim had earlier friendship and during this course, the applicant had obtained objectionable and obscene photographs of the victim. It is alleged that he used to threaten the minor victim that he will make obscene photographs viral, thereafter, he also executed the threat by making photographs viral on social media of Facebook and Instagram, regarding which FIR has been lodged.
6. Considering on all the facts and circumstances of the case and the fact that the applicant is in jail since four months and the charge-sheet in

this case has been filed and the trial of the case will likely to take time for its conclusion, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge